

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LEDELL HAMMOND,

Plaintiff,

No. 15-12051

v.

District Judge Paul D. Borman
Magistrate Judge R. Steven Whalen

CITY OF TROY, ET AL.,

Defendants.

/

ORDER STRIKING ANSWER AND MOTION TO DISMISS

Plaintiff Ledell Hammond filed a *pro se* civil complaint raising a number of claims against a number of Defendants, centering on the Troy Police Department having impounded his car pending an armed robbery investigation, and his claimed inability to recover his car at the conclusion of the criminal proceedings. On July 7, 2015, Plaintiff filed an amended complaint [Doc. #24]. On March 30, 2016, one of the Defendants, A&M Service Center and Towing (“A&M”), filed an answer to the amended complaint signed by one Tony Valente, as “Representative for Defendant A&M” [Doc. #61]. On the same date, A&M filed a motion to dismiss [Doc. #62], also signed by Tony Valente. Mr. Valente is not an attorney.

In his amended complaint, Plaintiff alleges that A&M is a corporation. But whether it is in fact a corporation, a partnership, a sole proprietorship, or any other

business entity, A&M may proceed only through a licensed attorney. *See Rowland v. California Men's Colony, Unit II Men's Advisory Council*, 506 U.S. 194, 201 (1993) (two-century old rule that corporations may appear in federal courts only through licensed counsel “applies equally to all artificial entities”). “[S]ave in a few aberrant cases, the lower courts have uniformly held that 28 U.S.C. § 1654, providing that ‘parties may plead and conduct their own cases personally or by counsel,’ does not allow corporations, partnerships, or associations to appear in federal court otherwise than through a licensed attorney.” *Id.*

Accordingly, because A&M’s answer [Doc. #61] and motion to dismiss [Doc. #62] were not signed by a licensed attorney, they are hereby STRICKEN.

IT IS SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Date: May 12, 2016

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on May 12, 2016, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager to the
Honorable R. Steven Whalen